SO ORDERED.

SIGNED this 27 day of November, 2023.



James P. Smith
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT MIDDLE DISTRICT OF GEORGIA MACON DIVISION

IN RE:) CHAPTER 11
TERI G. GALARDI ,) CASE NO. 22-50035-JRS
Debtor.))
JACK E. GALARDI, JR. AND EMELITA P. SY, as the TRUSTEE of the JACK E. GALARDI, JR. SUB-TRUST,	-))) :)
Plaintiffs,) Adversary Proceeding No. 22-05008
v.)
TERI G. GALARDI,))
Defendant.))

CONSENT FINAL JUDGMENT OF NONDISCHARGEABILITY AND DISMISSAL OF COUNTERCLAIMS WITH PREJUDICE

Plaintiffs Jack E. Galardi, Jr. ("Jack") and Emelita P. Sy, as the Trustee of the Jack E. Galardi, Jr. Sub-Trust ("Sy") (collectively, "Plaintiffs") and Defendant Teri G. Galardi ("Teri"

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or "**Defendant**") having settled their disputes in accordance with the terms set forth below and the parties having consented to entry of this Consent Final Judgment (the "**Consent Judgment**"), and the Court, having considered the matter and being duly advised, now enters this Consent Judgment.

- 1. Sy filed two proofs of claim in Teri's bankruptcy case: Proof of Claim 112 in the amount of \$843,509.20 and Proof of Claim 113 in the amount of \$1,053,191.20 (collectively, the "Claims"). Jack and Sy assert that the Claims are nondischargeable under 11 U.S.C. §§ 523(a)(2)(A), (a)(4), and (a)(6).
- 2. Teri asserts that the Claims are dischargeable and filed a counterclaim against Jack and Sy under 11 U.S.C. §§ 547, 548, 510, and 550.
- 3. Without admitting any wrongdoing and for purposes of settling the parties' various disputes, Defendant agrees that the Claims asserted by Plaintiffs in the total amount of \$1,896,700.40 are nondischargeable under 11 U.S.C. §§ 523(a)(2)(A), (a)(4), and (a)(6).
- 4. The Court confirmed Teri's joint plan of reorganization [Main Case Doc. No. 410]. The *Amended Joint Chapter 11 Plan of Reorganization of Teri G. Galardi and The Committee of Unsecured Creditors* [Main Case Doc. No. 401] (the "**Plan**") provides for payment of the Claims upon a finding of nondischargeability of those Claims. The Claims are classified as Class 9 Claims in the Plan.
- 5. Section 3.2.9 of the Plan provides that Teri shall pay the full amount of the nondischargeable Class 9 Claims "in full through 120 equal monthly installments based on a 20-year amortization at 7% interest per annum, followed by a balloon payment for the balance due after the 120th payment."
- 6. Section 3.2.9 of the Plan also addresses Plaintiffs' remedies in the event Defendant defaults under the Plan by failing to make a payment to Plaintiffs. "In the event of a default under Class 9, the holder of the Class 9 Claim must send written notice ("Default Notice") to Reorganized Debtor.

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Such Default Notice must contain the reason for the default and if such default is monetary, the amount of the default and amount necessary to cure the default, as well as notice that Reorganized Debtor has fifteen (15) days from receipt by Debtor and Debtor's counsel of the Default Notice (or the following business day if the fifteenth (15th) day does not fall on a business day) to cure such default (and the address for payment, which will accept overnight deliveries, in the event of a monetary default). In the event of an uncured default following proper default notice procedures, the holder of a Class 9 defaulting claim may (a) enforce the entire amount of its Class 9 Claim; (b) exercise any and all rights and remedies it may have under applicable non-bankruptcy law; and (c) seek such relief as may be appropriate in the Bankruptcy Court."

- 7. Plaintiffs and Defendant agree and consent that upon Defendant's failure to cure a default after receipt of the Default Notice, Plaintiffs may obtain from the Clerk of Court a writ of execution (the "Writ") on this Consent Judgment for the amount of the Judgment with a credit for any payments paid to Plaintiffs under this Consent Judgment and the Plan and may record the Writ in any property records or lien records.
- 8. Plaintiffs and Defendant agree and consent that all other claims asserted by Plaintiffs against Defendant in this Adversary Proceeding, other than the Claims, and the defenses and counterclaims asserted by Defendant against Plaintiffs in this Adversary Proceeding are hereby dismissed with prejudice.
- 9. Each party shall bear his or her own attorneys' fees and costs associated with this bankruptcy case, adversary proceeding, and Case No. P-18-096792-T in Clark County, Nevada.
- 10. Defendant shall pay and is bound to pay the Claims in accordance with the terms of the Plan in Section 3.2.9 as indicated in the Amortization Schedule attached to this Consent Judgment as **Exhibit A** (the "**Payments**"). Defendant shall begin making the Payments on December 1, 2023 and shall continue making the Payments on the first day of every month thereafter for an additional 119

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months. On the first day of the 121st month, Defendant shall make the final balloon payment in remaining amount due to Plaintiffs.

- 11. The Court shall retain jurisdiction over the parties and subject matter of this adversary proceeding for the purpose of enforcing and/or interpreting this Consent Judgment.
- 12. The Court finds that there is no just reason to delay the entry of this Consent Judgment and expressly directs the entry thereof as a Final Judgment.

NOW THEREFORE, in accordance with the agreement and consent of Plaintiffs and Defendant:

IT IS HEREBY ORDERED AND ADJUDGED that the Final Judgment is entered in favor of Plaintiffs and against Defendant for Plaintiffs' Claims in the amount of \$1,896,700.40 and said Claims are excepted from Plaintiff's general bankruptcy discharge, pursuant to 11 U.S.C. §§ 523(a)(2), (4), and (6) and are deemed and declared to be nondischargeable and shall be paid in accordance with Section 3.2.9 of the Plan and the Amortization Schedule attached hereto as Exhibit A;

IT IS HEREBY ORDERED AND ADJUDGED that all other claims and counterclaims asserted in this Adversary Proceeding are dismissed with prejudice;

IT IS HEREBY ORDERED AND ADJUDGED that final judgment is entered in favor of Plaintiffs and against Defendant in the amount of \$1,896,700.40, together with interest accruing at the rate of 7% interest from the date of this Consent Judgment; and this judgment may not be recorded in any lien or property records or enforced except in the event Defendant fails to timely cure an event of default after receipt of a Default Notice as described in paragraph 6 above and in Section 3.2.9 of the Plan, and then, and only then, may Plaintiffs obtain a writ of execution on this Final Judgment from the Clerk of Court.

END OF ORDER

CONSENTED TO BY:

ROUNTREE LEITMAN KLEIN & GEER, LLC

/s/ Ceci Christy

Will Geer

Georgia Bar No. 940493

Ceci Christy

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Attorneys for Plaintiff Jack E. Galardi, Jr.

CONSENTED TO BY:

PORTNOY, GARNER & NAIL, LLC

/s/Garrett Nail

Garrett Nail

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Attorney for Emelita Sy, as the Trustee of JGJ SubTrust

CONSENTED TO BY:

MCBRYAN, LLC

/s/ Louis G. McBryan

Louis G. McBryan

Georgia Bar No. 480993

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Attorneys for Teri Gale Galardi

EXHIBIT A

AMORTIZATION SCHEDULE

TERI GALARDI AMORTIZATION SCHEDULE

Year	Month	Payment	Principal	Interest	Balance	Total Interest	Total Principal
2023	December	\$14,705.09	\$3,641.01	\$11,064.08	\$1,893,058.99	\$11,064.08	\$3,641.01
2024	January	\$14,705.09	\$3,662.25	\$11,042.84	\$1,889,396.74	\$22,106.93	\$7,303.26
2024	February	\$14,705.09	\$3,683.61	\$11,021.48	\$1,885,713.12	\$33,128.41	\$10,986.88
2024	March	\$14,705.09	\$3,705.10	\$10,999.99	\$1,882,008.02	\$44,128.40	\$14,691.98
2024	April	\$14,705.09	\$3,726.71	\$10,978.38	\$1,878,281.31	\$55,106.78	\$18,418.69
2024	May	\$14,705.09	\$3,748.45	\$10,956.64	\$1,874,532.85	\$66,063.42	\$22,167.15
2024	June	\$14,705.09	\$3,770.32	\$10,934.77	\$1,870,762.53	\$76,998.20	\$25,937.47
2024	July	\$14,705.09	\$3,792.31	\$10,912.78	\$1,866,970.22	\$87,910.98	\$29,729.78
2024	August	\$14,705.10	\$3,814.44	\$10,890.66	\$1,863,155.78	\$98,801.64	\$33,544.22
2024	September	\$14,705.10	\$3,836.69	\$10,868.41	\$1,859,319.10	\$109,670.05	\$37,380.90
2024	October	\$14,705.10	\$3,859.07	\$10,846.03	\$1,855,460.03	\$120,516.08	\$41,239.97
2024	November	\$14,705.10	\$3,881.58	\$10,823.52	\$1,851,578.45	\$131,339.59	\$45,121.55
2024	December	\$14,705.09	\$3,904.22	\$10,800.87	\$1,847,674.23	\$142,140.47	\$49,025.77
2025	January	\$14,705.10	\$3,927.00	\$10,778.10	\$1,843,747.24	\$152,918.57	\$52,952.76
2025	February	\$14,705.09	\$3,949.90	\$10,755.19	\$1,839,797.33	\$163,673.76	\$56,902.67
2025	March	\$14,705.09	\$3,972.94	\$10,732.15	\$1,835,824.39	\$174,405.91	\$60,875.61
2025	April	\$14,705.10	\$3,996.12	\$10,708.98	\$1,831,828.27	\$185,114.89	\$64,871.73
2025	May	\$14,705.09	\$4,019.43	\$10,685.66	\$1,827,808.84	\$195,800.55	\$68,891.16
2025	June	\$14,705.10	\$4,042.88	\$10,662.22	\$1,823,765.97	\$206,462.77	\$72,934.03
2025	July	\$14,705.09	\$4,066.46	\$10,638.63	\$1,819,699.51	\$217,101.40	\$77,000.49
2025	August	\$14,705.09	\$4,090.18	\$10,614.91	\$1,815,609.32	\$227,716.32	\$81,090.68
2025	September	\$14,705.09	\$4,114.04	\$10,591.05	\$1,811,495.28	\$238,307.37	\$85,204.72
2025	October	\$14,705.10	\$4,138.04	\$10,567.06	\$1,807,357.24	\$248,874.43	\$89,342.76
2025	November	\$14,705.10	\$4,162.18	\$10,542.92	\$1,803,195.07	\$259,417.34	\$93,504.93
2025	December	\$14,705.10	\$4,186.46	\$10,518.64	\$1,799,008.61	\$269,935.98	\$97,691.39
2026	January	\$14,705.10	\$4,210.88	\$10,494.22	\$1,794,797.73	\$280,430.20	\$101,902.27
2026	February	\$14,705.09	\$4,235.44	\$10,469.65	\$1,790,562.29	\$290,899.85	\$106,137.71
2026	March	\$14,705.10	\$4,260.15	\$10,444.95	\$1,786,302.14	\$301,344.80	\$110,397.86
2026	April	\$14,705.10	\$4,285.00	\$10,420.10	\$1,782,017.14	\$311,764.90	\$114,682.86
2026	May	\$14,705.09	\$4,309.99	\$10,395.10	\$1,777,707.15	\$322,160.00	\$118,992.85

2026	June	\$14,705.10	\$4,335.14	\$10,369.96	\$1,773,372.01	\$332,529.95	\$123,327.99
2026	July	\$14,705.09	\$4,360.42	\$10,344.67	\$1,769,011.59	\$342,874.62	\$127,688.41
2026	August	\$14,705.09	\$4,385.86	\$10,319.23	\$1,764,625.73	\$353,193.86	\$132,074.27
2026	September	\$14,705.09	\$4,411.44	\$10,293.65	\$1,760,214.28	\$363,487.51	\$136,485.72
2026	October	\$14,705.10	\$4,437.18	\$10,267.92	\$1,755,777.10	\$373,755.42	\$140,922.90
2026	November	\$14,705.09	\$4,463.06	\$10,242.03	\$1,751,314.04	\$383,997.46	\$145,385.96
2026	December	\$14,705.10	\$4,489.10	\$10,216.00	\$1,746,824.94	\$394,213.46	\$149,875.06
2027	January	\$14,705.09	\$4,515.28	\$10,189.81	\$1,742,309.66	\$404,403.27	\$154,390.34
2027	February	\$14,705.09	\$4,541.62	\$10,163.47	\$1,737,768.04	\$414,566.74	\$158,931.96
2027	March	\$14,705.09	\$4,568.11	\$10,136.98	\$1,733,199.93	\$424,703.72	\$163,500.07
2027	April	\$14,705.09	\$4,594.76	\$10,110.33	\$1,728,605.16	\$434,814.05	\$168,094.84
2027	May	\$14,705.09	\$4,621.56	\$10,083.53	\$1,723,983.60	\$444,897.58	\$172,716.40
2027	June	\$14,705.09	\$4,648.52	\$10,056.57	\$1,719,335.07	\$454,954.16	\$177,364.93
2027	July	\$14,705.09	\$4,675.64	\$10,029.45	\$1,714,659.43	\$464,983.61	\$182,040.57
2027	August	\$14,705.09	\$4,702.91	\$10,002.18	\$1,709,956.52	\$474,985.79	\$186,743.48
2027	September	\$14,705.10	\$4,730.35	\$9,974.75	\$1,705,226.17	\$484,960.54	\$191,473.83
2027	October	\$14,705.09	\$4,757.94	\$9,947.15	\$1,700,468.23	\$494,907.69	\$196,231.77
2027	November	\$14,705.10	\$4,785.70	\$9,919.40	\$1,695,682.53	\$504,827.09	\$201,017.47
2027	December	\$14,705.09	\$4,813.61	\$9,891.48	\$1,690,868.92	\$514,718.57	\$205,831.08
2028	January	\$14,705.09	\$4,841.69	\$9,863.40	\$1,686,027.23	\$524,581.97	\$210,672.77
2028	February	\$14,705.10	\$4,869.94	\$9,835.16	\$1,681,157.29	\$534,417.13	\$215,542.71
2028	March	\$14,705.09	\$4,898.34	\$9,806.75	\$1,676,258.95	\$544,223.88	\$220,441.05
2028	April	\$14,705.10	\$4,926.92	\$9,778.18	\$1,671,332.03	\$554,002.06	\$225,367.97
2028	May	\$14,705.10	\$4,955.66	\$9,749.44	\$1,666,376.37	\$563,751.49	\$230,323.63
2028	June	\$14,705.10	\$4,984.57	\$9,720.53	\$1,661,391.80	\$573,472.02	\$235,308.20
2028	July	\$14,705.09	\$5,013.64	\$9,691.45	\$1,656,378.16	\$583,163.48	\$240,321.84
2028	August	\$14,705.10	\$5,042.89	\$9,662.21	\$1,651,335.27	\$592,825.68	\$245,364.73
2028	September	\$14,705.10	\$5,072.31	\$9,632.79	\$1,646,262.97	\$602,458.47	\$250,437.03
2028	October	\$14,705.09	\$5,101.89	\$9,603.20	\$1,641,161.07	\$612,061.67	\$255,538.93
2028	November	\$14,705.10	\$5,131.66	\$9,573.44	\$1,636,029.42	\$621,635.11	\$260,670.58
2028	December	\$14,705.09	\$5,161.59	\$9,543.50	\$1,630,867.83	\$631,178.62	\$265,832.17
2029	January	\$14,705.10	\$5,191.70	\$9,513.40	\$1,625,676.13	\$640,692.01	\$271,023.87
2029	February	\$14,705.09	\$5,221.98	\$9,483.11	\$1,620,454.14	\$650,175.12	\$276,245.86

2029	March	\$14,705.10	\$5,252.45	\$9,452.65	\$1,615,201.70	\$659,627.77	\$281,498.30
2029	April	\$14,705.10	\$5,283.09	\$9,422.01	\$1,609,918.61	\$669,049.78	\$286,781.39
2029	May	\$14,705.09	\$5,313.90	\$9,391.19	\$1,604,604.71	\$678,440.97	\$292,095.29
2029	June	\$14,705.09	\$5,344.90	\$9,360.19	\$1,599,259.81	\$687,801.17	\$297,440.19
2029	July	\$14,705.10	\$5,376.08	\$9,329.02	\$1,593,883.73	\$697,130.18	\$302,816.27
2029	August	\$14,705.10	\$5,407.44	\$9,297.66	\$1,588,476.29	\$706,427.84	\$308,223.71
2029 Se	eptember	\$14,705.09	\$5,438.98	\$9,266.11	\$1,583,037.31	\$715,693.95	\$313,662.69
2029	October	\$14,705.09	\$5,470.71	\$9,234.38	\$1,577,566.60	\$724,928.33	\$319,133.40
2029 N	lovember	\$14,705.09	\$5,502.62	\$9,202.47	\$1,572,063.97	\$734,130.81	\$324,636.03
2029 D	ecember	\$14,705.09	\$5,534.72	\$9,170.37	\$1,566,529.25	\$743,301.18	\$330,170.75
2030	January	\$14,705.10	\$5,567.01	\$9,138.09	\$1,560,962.24	\$752,439.27	\$335,737.76
2030	February	\$14,705.09	\$5,599.48	\$9,105.61	\$1,555,362.76	\$761,544.88	\$341,337.24
2030	March	\$14,705.10	\$5,632.15	\$9,072.95	\$1,549,730.62	\$770,617.83	\$346,969.38
2030	April	\$14,705.10	\$5,665.00	\$9,040.10	\$1,544,065.62	\$779,657.92	\$352,634.38
2030	May	\$14,705.10	\$5,698.05	\$9,007.05	\$1,538,367.57	\$788,664.97	\$358,332.43
2030	June	\$14,705.09	\$5,731.28	\$8,973.81	\$1,532,636.29	\$797,638.78	\$364,063.71
2030	July	\$14,705.10	\$5,764.72	\$8,940.38	\$1,526,871.57	\$806,579.16	\$369,828.43
2030	August	\$14,705.09	\$5,798.34	\$8,906.75	\$1,521,073.23	\$815,485.91	\$375,626.77
2030 Se	eptember	\$14,705.10	\$5,832.17	\$8,872.93	\$1,515,241.06	\$824,358.84	\$381,458.94
2030	October	\$14,705.10	\$5,866.19	\$8,838.91	\$1,509,374.87	\$833,197.75	\$387,325.13
2030 N	lovember	\$14,705.10	\$5,900.41	\$8,804.69	\$1,503,474.46	\$842,002.43	\$393,225.54
2030 D	ecember	\$14,705.10	\$5,934.83	\$8,770.27	\$1,497,539.63	\$850,772.70	\$399,160.37
2031	January	\$14,705.10	\$5,969.45	\$8,735.65	\$1,491,570.19	\$859,508.35	\$405,129.81
2031	February	\$14,705.10	\$6,004.27	\$8,700.83	\$1,485,565.92	\$868,209.18	\$411,134.08
2031	March	\$14,705.09	\$6,039.29	\$8,665.80	\$1,479,526.62	\$876,874.98	\$417,173.38
2031	April	\$14,705.09	\$6,074.52	\$8,630.57	\$1,473,452.10	\$885,505.55	\$423,247.90
2031	May	\$14,705.10	\$6,109.96	\$8,595.14	\$1,467,342.14	\$894,100.69	\$429,357.86
2031	June	\$14,705.10	\$6,145.60	\$8,559.50	\$1,461,196.54	\$902,660.18	\$435,503.46
2031	July	\$14,705.10	\$6,181.45	\$8,523.65	\$1,455,015.10	\$911,183.83	\$441,684.90
2031	August	\$14,705.10	\$6,217.51	\$8,487.59	\$1,448,797.59	\$919,671.42	\$447,902.41
2031 Se	eptember	\$14,705.10	\$6,253.78	\$8,451.32	\$1,442,543.81	\$928,122.74	\$454,156.19
2031	October	\$14,705.10	\$6,290.26	\$8,414.84	\$1,436,253.56	\$936,537.57	\$460,446.44
2031 N							

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2032 January 2032 Fe	ember anuary ebruary March April	\$14,705.10 \$14,705.10 \$14,705.10 \$14,705.09	\$6,363.86 \$6,400.98 \$6,438.32	\$8,341.24 \$8,304.12 \$8,266.78	\$1,423,562.75 \$1,417,161.77	\$953,256.96 \$961,561.07	\$473,137.25 \$479,538.23
2032 Fe	bruary March	\$14,705.10	\$6,438.32			\$961,561.07	\$479,538.23
	March			\$8,266.78			
2032		\$14,705.09	A0 477 07		\$1,410,723.46	\$969,827.85	\$485,976.54
	April		\$6,475.87	\$8,229.22	\$1,404,247.58	\$978,057.07	\$492,452.42
2032		\$14,705.09	\$6,513.65	\$8,191.44	\$1,397,733.93	\$986,248.52	\$498,966.07
2032	May	\$14,705.10	\$6,551.65	\$8,153.45	\$1,391,182.28	\$994,401.96	\$505,517.72
2032	June	\$14,705.09	\$6,589.86	\$8,115.23	\$1,384,592.42	\$1,002,517.19	\$512,107.58
2032	July	\$14,705.10	\$6,628.31	\$8,076.79	\$1,377,964.11	\$1,010,593.98	\$518,735.89
2032	August	\$14,705.09	\$6,666.97	\$8,038.12	\$1,371,297.14	\$1,018,632.11	\$525,402.86
2032 Sept	tember	\$14,705.09	\$6,705.86	\$7,999.23	\$1,364,591.28	\$1,026,631.34	\$532,108.72
2032 O	ctober	\$14,705.10	\$6,744.98	\$7,960.12	\$1,357,846.30	\$1,034,591.46	\$538,853.70
2032 Nov	ember	\$14,705.09	\$6,784.32	\$7,920.77	\$1,351,061.98	\$1,042,512.23	\$545,638.02
2032 Dec	ember	\$14,705.09	\$6,823.90	\$7,881.19	\$1,344,238.08	\$1,050,393.42	\$552,461.92
2033 Ja	anuary	\$14,705.10	\$6,863.71	\$7,841.39	\$1,337,374.37	\$1,058,234.81	\$559,325.63
2033 Fe	bruary	\$14,705.09	\$6,903.74	\$7,801.35	\$1,330,470.62	\$1,066,036.16	\$566,229.38
2033	March	\$14,705.10	\$6,944.02	\$7,761.08	\$1,323,526.61	\$1,073,797.24	\$573,173.39
2033	April	\$14,705.09	\$6,984.52	\$7,720.57	\$1,316,542.09	\$1,081,517.81	\$580,157.91
2033	May	\$14,705.10	\$7,025.27	\$7,679.83	\$1,309,516.82	\$1,089,197.64	\$587,183.18
2033	June	\$14,705.10	\$7,066.25	\$7,638.85	\$1,302,450.57	\$1,096,836.49	\$594,249.43
2033	July	\$14,705.10	\$7,107.47	\$7,597.63	\$1,295,343.11	\$1,104,434.12	\$601,356.89
2033	August	\$14,705.10	\$7,148.93	\$7,556.17	\$1,288,194.18	\$1,111,990.28	\$608,505.82
2033 Sept	tember	\$14,705.10	\$7,190.63	\$7,514.47	\$1,281,003.55	\$1,119,504.75	\$615,696.45
2033 O	ctober	\$14,705.09	\$7,232.57	\$7,472.52	\$1,273,770.98	\$1,126,977.27	\$622,929.02
2033 Nov	ember/	\$14,705.09	\$7,274.76	\$7,430.33	\$1,266,496.21	\$1,134,407.60	\$630,203.79
2033 Dec	ember	FINAL	PAYMENT		\$1,266,496.21		